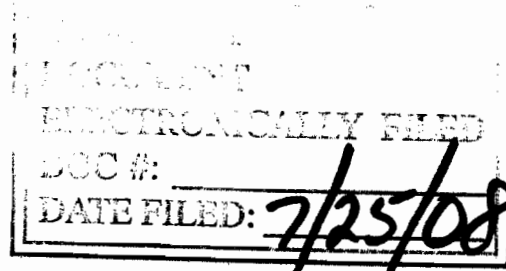


UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK



MARCOS POVENTUD,

Plaintiff,

-v-

CITY OF NEW YORK, et al.,

Defendant.

07 Civ. 3998 (GEL)

**ORDER**

GERARD E. LYNCH, District Judge:

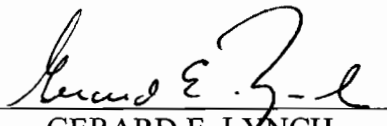
The parties in this civil rights action have submitted a joint letter outlining a discovery dispute regarding the deposition of four high-level officials of the Bronx County District Attorney's office. The joint letter also requests an extension of time to complete fact discovery.

1. The City seeks a protective order preventing defendant from conducting depositions of Robert Johnson, the District Attorney in Bronx County, and three members of his executive staff, Joseph Ferdenzi, Anthony Girese, and Odalys Alonso. Plaintiff has agreed to hold the depositions of these officials in abeyance until the completion of depositions of other individuals, already noticed and/or scheduled, after which time plaintiff may decide that it does not need to conduct such depositions. It is therefore premature to decide whether the City is entitled to such a protective order. Accordingly, the City's motion for a protective order is DENIED without prejudice to the City's renewal of that motion.

2. Because of delays in scheduling depositions, exacerbated by repeated disputes over discovery requiring the Court's attention, the parties do not anticipate concluding fact discovery by the August 29, 2008, deadline. Accordingly, it is ORDERED that the deadline for fact discovery is extended by 60 days to October 28, 2008.

SO ORDERED.

Dated: New York, New York  
July 24, 2008

  
GERARD E. LYNCH  
United States District Judge